IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 4791 OF 2005

The State of Maharashtra .. Applicant

Vs.

Ramkrishna Janardhan Gosavi & Ors. .. Respondents

Shri U. V. Nikam for Applicant.

Shri R.V. More for Respondent Nos. 1 to 4.

**CORAM: S.K. SHAH, J.**

**DATE : 24th April, 2006.**

**P.C.**

By this application the prosecution is seeking leave to appeal against the order of the acquittal of accused No. 1 and 4 passed by the JMFC, Sangola. Application is restricting only to the aspect of the petition seeking leave to appeal against the order of acquittal of accused No. 1 and 4. I have gone through the judgment of the learned Magistrate. There is only evidence of P.W. 1 who is the first informant to show that during the initial part of the incident in front of the house the accused took part in the incident and gave blow of axe on the motor cycle. There is no evidence against accused Nos. 1 and 4. Under the circumstances I do not find any merit in the application. Leave to Appeal is hereby rejected. Application stands disposed of.

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**(S. K. SHAH, J)**